FISCAL NOTE

Bill #: HB0693   **Title:** Citizen self-defense and firearms rights

Primary Sponsor: Wells, J   **Status:** As Introduced

_____   _____
Sponsor signature   Date   David Ewer, Budget Director   Date

Fiscal Summary

	FY 2006 Difference	FY 2007 Difference
Expenditures:		
General Fund	$0	$0
Revenue:		
General Fund	$0	$0
Net Impact on General Fund Balance:	$0	$0

☐ Significant Local Gov. Impact	☒	Technical Concerns
☐ Included in the Executive Budget	☐	Significant Long-Term Impacts
☐ Dedicated Revenue Form Attached	☐	Needs to be included in HB 2

Fiscal Analysis

ASSUMPTIONS:
1. New Section 6 (3) allows for requests of immediate writ of mandamus from District Court Judges and New Section 13 (2) requires that permission to file an information may not be granted until a preliminary examination has been held in court to determine probable cause to believe that the offense sought to be charged has been committed by the defendant. These two sections of this legislation may increase District Court workload but the Judicial Branch is unable to estimate the impact on judicial workload or the fiscal impact. The cumulative impact of such legislation may over a period of time require additional judicial resources since the court dockets are already full throughout the state.

TECHNICAL NOTES:
1. Section 9 (1), which provides for employer liability to employees under certain conditions and circumstances, may conflict with the exclusive remedy of workers' compensation provided by 39-71-411, MCA. If Section 9 (1) were construed to harmonize with 39-71-411, MCA, an insured employer would have no additional liability beyond that which is already provided by existing workers' compensation law, which may be inconsistent with the apparent intent of the bill.
2. New Section 5 of this legislation allows the court to award reasonable attorney fees and costs specific to the defense of the charge if the charge is dismissed or the person is found not guilty. It is not clear in the legislation who would be paying these costs.